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Lisbon Treaty – Military Structures

Many of those who oppose the Lisbon Treaty cite its European Security and Defence Policy (ESDP) and Common Security and Foreign Policy (CSFP) provisions as cause for concern in terms of how they might impact on Irish neutrality or serve to create a pan-European army to rival NATO. Those clauses of the Lisbon Treaty which address security and defence issues are worthy of debate, and may cause concern in some quarters. They do not however impact directly on Irish neutrality. Nor do they amount to a charter for the creation of a standing European army.

Much of what the Lisbon Treaty addresses in military terms – simply reiterates ESDP and CSFP aspirations that have already been stated in previous EU Treaties and Summits. In relation to the concept of a ‘Common European Defence’ – this issue was addressed eleven years ago at Article 17 of the Amsterdam Treaty 1997 wherein it stated ‘CSFP shall include all questions relating to the security of the Union, including the progressive framing of a common defence policy ... which might lead to a Common Defence, should the European Council so decide’. Further reference to Common European Defence was made at the EU Summit of Cologne 1999 where it was intended ‘to give the EU the necessary means and capabilities to assume its responsibilities regarding a common ESDP’.

Therefore, mention within the Lisbon Treaty of the ‘progressive framing of a common defence policy that might lead to a common defence’ is not new. What is new however is the summary of provisions contained within the Lisbon Treaty which explicitly exclude all such future ESDP and CSFP decisions at EU level from qualified majority voting (QMV). Ratification of the Treaty would have two effects in relation to Ireland’s neutral stance. A yes vote would preserve our sovereign input into EU security and defence decisions at the level of Council of Ministers. The Lisbon Treaty would therefore ensure that any decision about a future common defence – or indeed any future EU civilian mission or military operation - could only be taken by unanimous vote at the EU Council of Ministers. By preserving the intergovernmental nature – with all EU member states having equal status – with regard to CSFP and ESDP decisions Ireland would remain capable of effectively expressing her neutral stance in a manner that would meaningfully impact on EU defence decisions. In other words, a yes vote would guarantee Ireland’s ability to veto any future common defence concept – or indeed any EU military mission or operation that Ireland deemed inappropriate.

With regard to the possible future militarization of Europe one element of the Treaty – highlighted as potentially controversial by its opponents - lies in its reference to the European Defence Agency (EDA). This is the first reference to the EDA in an EU Treaty. However, de facto the EDA has existed by a decision of the member states since 2004. The purpose of the EDA is to audit and enhance individual EU military capabilities in order to enhance the ability of member states to cooperate with each other as crises arise – on a case by case basis. This would not have the effect of militarising the EU – in the commonly accepted sense - as a collective martial entity. The function of the EDA is to make each member state’s approach to defence budgeting and the development of

military capabilities 'coherent' – to avoid unnecessary duplication of defence spend or defence research and development effort across each state.

For example, the EU as a whole spends 40% of what the US spends on defence. But the EU does not have anything approaching 40% of US military capability. Nor does the EU have 40% of US political influence globally. Europe is wasting its defence spend on 'incoherent' approaches to developing flexible civil and military responses to man made and natural disasters. For example there are currently 16 separate – and highly costly - research and development programmes within the EU focussed on armoured personnel carrier development. The purpose of the EDA is to eliminate such replication in order to achieve economies of scale and increase overall EU military cohesiveness and effectiveness. Thus, the EDA would encourage individual member states to specialise in military areas such as heavy air-lift, logistics or medical and engineering expertise. The EDA is not designed to function as a procurement agency for a permanently-configured 'standing' European Army. Rather, it is an agency designed to rationalise the current spending of taxpayers Euros in order to evolve flexible, effective, and rapidly configured EU civil-military responses to future international crises. These future, temporarily configured, EU 'coalitions of the willing' – with their emphasis on civil-military options – might well provide a viable pro-social alternative the current global hegemony of an increasingly militarised United States.

To this end the predominantly humanitarian and peacekeeping 'St. Petersburg Tasks' of the 1997 Amsterdam Treaty have been significantly expanded upon in the Lisbon Treaty to include 'joint disarmament operations, humanitarian and rescue tasks, military advice and assistance tasks, conflict prevention and peace-keeping tasks, tasks of combat forces in crisis management, including peace-making and post-conflict stabilisation. All these tasks may contribute to the fight against terrorism, including by supporting third countries in combating terrorism in their territories'. Whilst this represents a significant widening of the concept of operations that the EU might decide upon – on a strictly unanimous and case by case basis – it is not a novel concept and has already been provided for in the EU European Security Strategy of 2003. Voting yes to the Lisbon Treaty in this regard, would commit the EU to considering – by a unanimous vote of its member states only – to a wider suite of military options than has been stated in previous treaties and summits, as possible interventions and responses to international crises. This would, in theory, allow the EU, where necessary, to take robust and rapid action – independent of NATO or the US – to counter threats of genocide, terrorism or criminality within the EU's sphere of influence. Such robust responses - as evidenced by the Irish-led EU for mission to Chad – can be difficult to mount rapidly. Once deployed however, such operations would allow the EU to legitimately extend its sphere of influence globally - independent of US or the competing influences of other international actors such as China or Russia.

The Lisbon Treaty allows for 'Permanent Structured Cooperation' (PSC) between EU member states who are committed to permanent collective military capabilities and alliances. This provision of the Treaty would allow European nations such as France and Germany to formalise their military integration across their national boundaries. This would in effect, create potential pre-existing 'coalitions of the willing' for future ESDP or

CSFP operations or missions – decided upon by unanimous vote of the EU Council of Ministers. Whilst the Lisbon Treaty would allow for member states to further facilitate PSC by way of qualified majority voting – no member state can be compelled to enter into such military arrangements. Voting no to the Treaty would not prevent PSC. Many member states such as Germany, France and Britain are already embarked upon such a process independent of EU structures. Ratifying the Treaty would simply allow this process to proceed under the control and direction of the EU.

The Lisbon Treaty, insofar as it addresses military matters, does not impact on Ireland's neutrality or upon Ireland's sovereignty. Under the terms of the Treaty, Ireland would retain the power of veto over any future CSFP or EDSP decision by the EU. Under the terms of the Treaty, Ireland could also continue to operate the 'Triple Lock' mechanism with regard to considering our participation in any future CSFP or EDSP operation or mission to which we had agreed in principle. Unlike those at NATO, the EU's military structures – as envisaged in the Lisbon Treaty and previous treaties, summits and strategies – are modest in size but ambitious in scope. A yes vote for the Treaty would not create a permanent standing EU army – but would enhance the EU's ability to mount flexible, tailor made and credible responses to emerging humanitarian and security crises in the future. The Lisbon Treaty is drafted in such a manner that Ireland can make a valuable military and political contribution to this process by way of the EU military committee and the EU Political and Security Committee without diluting her sovereignty or neutral status.

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